



Ninety-Ninth Legislature - First Session - 2005
Committee Statement
LB 663

Hearing Date: February 22, 2005

Committee On: Transportation and Telecommunications

Introducer(s): (Cudaback, Baker)

Title: Change certificate of title and registration provisions for assembled, kit, and historical vehicles

Roll Call Vote – Final Committee Action:

Advanced to General File

X Advanced to General File with Amendments

Indefinitely Postponed

Vote Results:

8 Yes Senators Stuthman, Hudkins, Baker, Foley, Brown, Smith,
 Aguilar, Dw. Pedersen

No

Present, not voting

Absent

Proponents:

Senator Jim Cudaback

John C. Rehberg

Gary Hedman

Myron Smith

Conrad Smith

Jim Snyder

Robert N. Reinke

Ray Hogrefe

Reinhold Heinbigner

David Vollmer

Representing:

Introducer

Horseless Carriage Club of America

Nebraska Rod and Custom

Nebraska Region Antique Automobile Club of
America

Central Nebraska Auto Club

Cornhusker Early Ford V-8 Club

Antique Automobile Club of America, Nebraska
Region

Cornhusker Model A Ford Club

Cornhusker Model A

Omaha Early Ford V-8 Club

Opponents:

Representing:

Neutral:

Beverly Neth

Beth Bazyn Ferrell

Representing:

Department of Motor Vehicles

Nebraska Association of County Officials

Summary of purpose and/or changes:

The bill changes and eliminates provisions regarding certificates of title and license plates for assembled, kit and historical vehicles.

Section by Section Summary

Section 1

New language allows the sale or trade of a parts car without requiring the parts car or vehicle to be in operating condition.

Section 2

New language allows the DMV to search its records for certificates of title at the request of an owner who does not have a certificate of title for a vehicle manufactured prior to 1940 and which has not had any major component part replaced. If no title has been issued in the thirty years prior to operation, the owner may transfer title by a notarized bill of sale, an affidavit in support of the application, an identification inspection, and a statement from the department indicating that no title has been issued in the last thirty years. The transferee may apply for a certificate of title using the above documentation.

Section 3

New language allows owners that do not have a certificate of title for a historical vehicle and that have replaced one or more major components parts with parts essentially of the same design and material to apply for a certificate of title by presenting a notarized bill of sale for each major component part replaced, an affidavit in support of the application, an identification inspection, a statement from a car club representative, and a VIN.

Section 4

New language in subsection (1) defines a recognized car club. New language in subsection (2) allows the DMV to identify and maintain a list of qualified car club representatives to inspect vehicles and replacement parts for purposes of issuing certificates of title. The requirements of representatives are provided. Under subsection (3), the representative shall inspect the vehicles as provided and issue a statement to the owner which includes the findings of the inspection. Under subsection (4), the DMV may remove a representative from the list of representatives as provided.

Section 5

New language allows owners of assembled motor vehicles or vehicles which have had major component parts replaced by parts not the same in design and material to apply for a certificate of title by presenting a certificate of title for one major component part, a notarized bill of sale for all other major component parts replaced, an identification inspection statement, and a VIN. The certificate of title shall indicate the year of the vehicle as the year it was assembled and the make of the vehicle as assembled.

Section 6

New language allows the owner of a kit vehicle to apply for a certificate of title by presenting a manufacturer's statement of origin for the kit, a notarized bill of sale for all major component parts not in the kit, an identification inspection, and a VIN. The certificate of title shall indicate the year of the vehicle as the year it was assembled and the make of the vehicle as assembled.

Section 7

New language allows the owner of a vehicle which has previously been issued a certificate of title as an assembled vehicle to apply for a historical vehicle title as provided with a \$25 fee.

Section 8

New language allows the owner of a vehicle with modifications from the original specifications to apply for a historical title if the modification is of historic nature and is essentially the same in design and material to the original.

Section 9

Amends §60-102 by adding internal references.

Section 10

Amends §60-104 by adding internal references.

Section 11

Amends §60-105 by adding internal references and making technical changes. New language also allows physical possession of a motor vehicle, commercial trailer, semitrailer or cabin trailer if the individual receives an affidavit and notarized bill of sale.

Section 12

Amends §60-106 by adding internal references and striking language regarding specially constructed motor vehicles.

Section 13

Amends §60-112 by adding an internal reference.

Section 14

Amends §60-115 by adding an internal reference.

Section 15

Amends §60-117 by adding internal references.

Section 16

New language defines collector and historical vehicle.

Section 17

New language requires that any historical vehicle or other vehicle used for the same general purposes and under the same conditions as motor vehicle registered with regular plates shall be required to be registered with regular license plates and must pay the same taxes and fees as other vehicles.

Under subsection (2), a person presenting a historical vehicle certificate or a title which indicates that a vehicle is thirty or more years old may apply for historical license plates or may use license plates of the year of manufacture.

Under subsection (3), each collector applying for license plates, other than nonprofit organizations, must own and have registered one or more vehicles with regular plates.

Section 18

New language provides the application requirements for historical license plates. The application must contain a description of the vehicle, a description of the vehicle with regular license plates and an affidavit of hobby, not general, use of the vehicle.

Section 19

Under subsection (1), an initial processing fee of \$10 shall be submitted for a historical license plate application and a \$50 plate fee. Under subsection (2), for individuals wishing to use a plate corresponding to the model year date of manufacture, there shall be a \$25 fee.

Section 20

The DMV shall design historical license plates which will include the words “historical” and “Nebraska”.

Section 21

Subsection (1) allows the owner of a historical vehicle to use a license plate or plates issued by Nebraska in the year corresponding to the model year date of manufacture. The department must inspect and approve the plate or plates.

Subsection (2) allows the department to consult with a recognized car club in determining if the plate corresponds to the model year date of manufacture.

Subsection (3) provides that if only one license plate is used on the vehicle, the plate shall be placed on the rear of the vehicle. Only one plate may be used on the vehicle, even if two plates were issued.

Section 22

New language provides that license plates issued under sections 20 and 21 shall be valid while owned by the applicant without payment of any additional fee, tax or license.

Section 23

New language provides that a collector may transfer, upon sale, the registration and license plate to another historical vehicle owned by that collector for a \$25 fee.

Section 24

Allows collectors of antique vehicles who, on August 24, 1975, have antique vehicles registered and licensed to retain that if they submit an affidavit of hobby purposes.

Section 25

New language in subsection (1) permits the use of historical vehicles for hobby and special events, not for general purposes. Subsection (2) prohibits historical trucks from hauling material weighing more than one thousand pounds or being used regularly in a business or occupation. Subsection (3) prohibits historical vehicles from being regularly used. Subsection (4) states that special vehicle equipment is not required if it was not required when originally manufactured. Subsection (5) exempts historical vehicles manufactured prior to the date of standard emission controls for that vehicle from the inspection and use of emission controls. Subsection (6) requires that any safety equipment that was manufactured as part of a historical vehicle's original equipment must be in proper operating condition.

Section 26

New language allows the department to adopt and promulgate rules and regulations.

Section 27

New language provides a penalty for operation in violation of the act.

Section 28

Repealer clause.

Section 29

Outright repealer clause.

Explanation of amendments, if any:

The committee amendment, AM0800, strikes the original section 4. The amendment defines a car club, establishes how a car club may become recognized, provides how a member of a car club may become a qualified car club representative, provides duties for the representative, allows for removal of the representative by the department, and allows rules and regulations to be promulgated by the department. Section 60-311.18 is added to the bill. For vehicles manufactured prior to 1940 that do not already have a VIN attached, no VIN shall be required.

Senator Tom Baker, Chairperson